

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
De Lucia, et al.

Group Art Unit: Unknown

Serial No.: 10/537,653

Examiner: Unknown

Filed: June 6, 2005

Attorney Docket No. 25791.157.03

For: SYSTEM FOR RADIALY EXPANDING TUBULAR MEMBERS

TRANSMITTAL

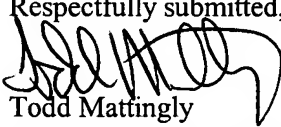
Mail Stop Missing Requirements  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed October 20, 2005, I have enclosed the following:

1. The return copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed October 20, 2005;
2. Copy of Inventors Declaration from PCT application;
3. Check for payment of claims and surcharge fee;
4. A return post card; and
5. This transmittal.

The Commissioner is hereby authorized to charge payment of any further fees associated with any of the papers submitted herewith or to credit any overpayment to Deposit Account No. 08-1394, Order No. 25791.157.03.

Respectfully submitted,  
  
Todd Mattingly  
Registration No. 40,298

Date: 11/8/05  
HAYNES AND BOONE, L.L.P.  
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Dallas, Texas 75202-3789  
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25791.157.03

H-578946\_1.DOC

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail No. 95703489026US in an envelope addressed to: Box Missing Parts, Assistant Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Date 11-8-05  
Name Stacy Sam



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/537,653	FIRST NAMED APPLICANT Frank De Lucia	ATTY. DOCKET NO. 25791.157.03
INTERNATIONAL APPLICATION NO. PCT/US03/38550		
I.A. FILING DATE 12/04/2003	PRIORITY DATE 12/05/2002	

27683  
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DALLAS, TX 75202

**RECEIVED**  
OCT 24 2005  
HAYNES and BOONE

CONFIRMATION NO. 5102

371 FORMALITIES LETTER

\*OC000000017287710\*

Date Mailed: 10/20/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/06/2005
- Copy of the International Search Report filed on 06/06/2005
- Copy of IPE Report filed on 06/06/2005
- U.S. Basic National Fees filed on 06/06/2005
- Substitute Specification filed on 06/06/2005
- Priority Documents filed on 06/06/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$6800 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$6930 for a Large Entity:

DOCKETING COMPLETE

DATE: 10-25-05

BY: Cef

- \$130 Surcharge.
- Total additional claim fee(s) for this application is \$ 6800
  - \$200 for 1 independent claims over 3.
  - \$6600 for 132 total claims over 20.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/537,653	PCT/US03/38550	25791.157.03

FORM PCT/DO/EO/905 (371 Formalities Notice)

11/14/2005 ATRAN1 00000060 10537653  
 01 FC:1617 130.00 CP  
 02 FC:1615 6600.00 OP  
 03 FC:1614 200.00 OP